



MERIT SYSTEMS PROTECTION BOARD FORM 185-4A

CLAIMS OF MISTAKES IN PROCEDURES OR VIOLATIONS OF LAW

Complete this form and attach it to MSPB Form 185-1 if you are raising a claim—in connection with an appeal of an agency action or decision for which you have completed MSPB Form 185-2 or MSPB Form 185-3—that the agency made mistakes in applying required procedures (harmful error) or that the agency violated a law in taking the action or making the decision that you are appealing.

DO NOT use this form for claims of a violation of law for which another form is provided; instead, use the appropriate form for that claim (i.e., MSPB Form 185-4B for a discrimination claim, MSPB Form 185-4C for a prohibited personnel practices claim, MSPB Form 185-5 for a whistleblower claim, MSPB Form 185-7 for a USERRA claim, or MSPB Form 185-8 for a veterans' preference claim).

Please type or print legibly.

OMB No. 3124-0009

Name (last, first, middle initial)

Mistakes in Procedures (Harmful Error) – Harmful error is defined in the Board's regulations as: "Error by the agency in the application of its procedures that is likely to have caused the agency to reach a conclusion different from the one it would have reached in the absence or cure of the error." See 5 CFR 1201.56(c)(3).

1. If you believe that the agency made a mistake (or mistakes) in applying required procedures **in connection with the action or decision you described in MSPB Form 185-2 or MSPB Form 185-3**, identify the procedure(s) and describe the mistake(s).

2. Explain how you were harmed by the mistake(s) in procedure(s) described in your answer to question 1.

Violations of Law – An appealable action will be reversed as being "not in accordance with law" if the agency's action is unlawful in its entirety, i.e., if there is no legal authority for the action.

3. If you believe that the agency violated a law **in connection with the action or decision you described in MSPB Form 185-2 or MSPB Form 185-3**, identify the law.

4. Describe how the law you identified in your answer to question 3 was violated.